

Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

BOOK REVIEWS.

LEGAL PRINCIPALS OF HEALTH ADMINISTRATION. By Henry Bixby Hemenway, A. M., M. D. Fellow, American Academy of Medicine; Fellow, American Medical Association; Member, American Public Health Association; Member, American Association of Railway Surgeons; Member, American Statistical Association; etc. With an introduction by John Henry Wigmore, LL.D., Dean, Northwestern University Law School; Illinois Commissioner on Uniform State Laws, etc. Chicago: T. H. Flood & Co., Publishers. 1914. pp. xxxvi, 859.

At the first glance at a book of this size and title one experiences a feeling of surprise and astonishment that the law of this subject has developed so rapidly and extensively as to require over eight hundred pages of text in which to state it. A closer examination convinces one that the title is somewhat misleading. The first chapter is largely devoted to the statement of some elementary general principles of political science and preventive medicine. The four chapters that follow are concerned with a very elementary discussion of general principles of political science and law relating to the systems of government, the separation of powers, the executive and the judiciary, the discussion being no more appropriate to health administration than to highway administration or the administration of the game laws. The sixth, seventh and eighth chapters deal generally with the "Police Power," "Due Process of Law" and "Nuisance" respectively. The author has traversed two hundred and forty-one pages in reaching this point, and if we except a few interesting discussions relating to preventive medicine, most of which are found in the first chapter, has given the reader nothing new and little, if anything, that will not be found in a good work on constitutional law.

In the ninth chapter, which extends over more than one hundred pages, the author discusses "Public Health Powers and Limitations" and therein in addition to considerable general matter on constitutional law, he includes a short examination of "Vital Statistics," "Pure Foods and Drugs," "White Slave Traffic," "Purity of Interstate Waters," "Meat Inspection," "Sanitary Authority of the States" and state as contrasted with federal authority in sanitary matters. These are topics which one would expect to find in a work on the law of public health.

The following one hundred and ninety-seven pages of the book deal with the subjects of officers and remedies in a less technical and perhaps less thorough or satisfactory way than any work on officers or administrative law. The thirteenth chapter, and the last in Part I of the book, deals with "Vital Statistics" under which the author discusses, among other matters, the confidential relation existing between a physician and his patient.

Part II of the book, containing about two hundred and twenty-five pages, is concerned with the special subjects of "Quarantine," "Water Supplies, Drainage and Garbage Disposal," "Pure Food and Drug Regulation," "School

Inspection," "Industrial Regulation," "Eugenics" and "Licenses." In this portion of the book the discussion is avowedly more specific than in the first part. Large portions of the subject matter of the discussion of these subjects, especially those of "License" and "Industrial Regulation," is found in books on Constitutional Law.

On the whole, the work is an untechnical, rather rambling and diffuse, though interesting, discussion of the problems which confront the public health administrator. All of the law stated therein which can have any claim to being new or recent could be stated in twenty-five octavo pages without compressing it more than is usual in a treatise on law. The lawyer's interest in this book will be centered primarily in the views of the author, a member of the medical profession, on law and things legal. It is probably with this thought in mind that Professor Wigmore so unhesitatingly recommends its perusal to lawyers and judges. The lawyer will also read with enjoyment and profit the untechnical and clear discussions by the author of some of the principles of preventive medicine though he will be disappointed that these constitute such a small part of the content of the book.

The work will be found most valuable to those interested in public health legislation and to public health administrators. For the latter, who are seldom trained in the law, the untechnical and rather prolix discussions of the elementary principles of law bearing on the subject and the collection in one volume of a portion of several well established branches of the law which lead to an understanding of the specific rules of law governing the administration of the public health will have a decided advantage.

The reviewer cannot resist the desire to compliment the author on his defense of the "uncertainties of the law" as the layman frequently and contemptuously speaks of it. We doubt whether any jurist has ever made a better argument in justification of the changes that come into our law through judicial decision expressing changed views and opinions on economics and government than that offered by the author in section thirteen of the first chapter of his book.

It is also a pleasure to note that the author in his pages decries the tendency of the overzealous layman to urge the passage of a plethora of ill-considered laws drawn by enthusiastic amateur sanitarians. How much better off the world would be if a goodly portion of such persons would heed the author's advice to expend their strength in insisting on the appointment and support of competent officers! Law is not a satisfactory substitute for private morals. Lieber says, "We find * * * in many periods of general degeneracy the greatest number of those laws which strive to enforce the primary virtues, upon which men have at all times acknowledged the state essentially to rest; but those laws alone have never been able to arrest the downward course of depravity when once it had really become general. The decline of Greece and Rome exemplify both these positions." It is high time that more men outside the legal profession practice and preach the doctrine that legislative enactments are not cure-alls for the ills of the body politic.

G. S.